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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/691,277	10/17/2000	Syne Mitchell	MICR0194	4966

27792 7590 12/02/2003

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EXAMINER

LAZARO, DAVID R

ART UNIT PAPER NUMBER

2155

DATE MAILED: 12/02/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/691,277

Applicant(s)

MITCHELL ET AL.

Examiner

David Lazaro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claims 1-25 are pending in this office action.

Papers Received

1. Change of Address was received on 03/15/01.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: Fig. 4 Reference signs 152 and 154. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: On page 19 and 20 (Fig. 7 discussion), block 227 and block 229 . A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

4. Claim 25 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Since Claim 25 only includes steps (b)-(d) of Claim 1, it is broader than its parent claim and therefore improper.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 11 and 25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claims 11 and 25 are indefinite as it is not clear as to whether the invention is a method or a computer-readable medium having computer-executable instructions.

Claim Rejections - 35 USC § 102

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

8. Claims 1-9 and 11-25 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,300,947 by Kanevsky (Kanevsky).

9. With respect to Claim 1, Kanevsky teaches a method for selectively displaying an additional content in a Web page based on an available display area (Col. 9 lines 39-41), comprising the steps of: (a) automatically detecting dimensions of the available display area (Col. 6 lines 4-28); (b) automatically determining whether the additional content and a primary content can both be fully displayed in the available display area without requiring scrolling in more than one direction (Col. 9 lines 35-41 and Col. 10 lines 46-51); and if so, (c) displaying the additional content and the primary content (Col. 9 lines 39-41 and Col. 10 lines 46-51); else (d) displaying only the primary content (Col. 8 lines 26-34).

10. With respect to Claim 2, Kanevsky teaches all the limitations of Claim 1 and further teaches wherein the available display area comprises an area defined by a browser window (Col. 1 lines 36-47) produced by a browser program (Col. 4 lines 64-65); and wherein the step of detecting the dimensions of the available display area includes the steps of: (a) detecting properties of the browser program that produced the browser window (Col. 5 lines 5-19 and line 63 to Col. 6 lines 3); (b) providing

instructions compatible with the detected properties of the browser program (Col. 5 lines 23-29); and (c) executing the instructions to automatically detect the dimensions of the browser window (Col. 2 lines 12-19 and Col. 6 lines 20-27).

11. With respect to Claim 3, Kanevsky teaches all the limitations of Claim 2 and further teaches wherein the step of automatically determining occurs when the browser window is initially displayed by the browser program (Col. 7 lines 25-47 and Col. 16 lines 47-56).

12. With respect to Claim 4, Kanevsky teaches all the limitations of Claim 2 and further teaches wherein the step of automatically determining comprises the step of storing a pointer to a previously defined event handler used by the browser program (Col. 17 lines 50-59 and Col. 18 lines 1-14)).

13. With respect to Claim 5, Kanevsky teaches all the limitations of Claim 4 and further teaches wherein the previously defined event handler responds to at least one of initially displaying content in the browser window, and resizing the browser window (Col. 17 lines 50-59 and Col. 18 lines 1-14).

14. With respect to Claim 6, Kanevsky teaches all the limitations of Claim 5 and further teaches wherein the step of displaying only the primary content comprises the step of executing the previously defined event handler (Col. 17 lines 33-39).

15. With respect to Claim 7, Kanevsky teaches all the limitations of Claim 1 and further teaches wherein the step of automatically determining comprises the step of automatically determining if at least one dimension of the available display area is sufficient to display the additional content (Col. 10 lines 39-41 and Col. 11 lines 49-51).

16. With respect to Claim 8, Kanevsky teaches all the limitations of Claim 5 and further teaches further comprising the step of responding to a change in the available display area by again automatically determining whether the additional content and the primary content can both be fully displayed in the available display area without requiring scrolling in more than one direction (Col. 17 lines 39-44 and lines 50-59 and Col. 11 line 49-51).

17. With respect to Claim 9, Kanevsky teaches all the limitations of Claim 1 and further teaches wherein the step of automatically determining comprises the step of iteratively automatically determining whether a further additional content can be fully displayed with the primary content and a previous additional content in the available display area without requiring scrolling in more than one direction (Col. 10 lines 39-41, Col. 11 lines 49-51 and lines 14-24).

18. Claim 11 is rejected for the same reasons set forth in Claim 1. Note also in Kanevsky (Col. 5 lines 23-29).

19. Claim 25 is rejected on the same basis that steps (b)-(d) of Claim 1 are rejected. Note also Kanevsky teaches wherein said component is integral with a browser program in which the Web page is displayed (Col. 2 lines 12-19 and Col. 16 lines 44-46).

20. With respect to Claim 12, Kanevsky teaches a method for controlling display of a Web page on a device (Col. 2 lines 12-19), comprising the steps of: (a) automatically determining an available display area for displaying a content of the Web page on the device (Col. 6 lines 4-28); (b) determining a portion of the content that can be fully

displayed in the available display area without requiring scrolling in more than one direction (Col. 8 lines 26-44 and Col. 9 lines 35-41 and Col. 11 lines 14-24); and (c) displaying only the portion of the content that can be fully displayed in the available display area without scrolling in more than one direction (Col. 8 lines 26-44 and Col. 9 lines 35-41 and Col. 11 lines 14-24).

21. With respect to Claim 13, Kanevsky teaches all the limitations of Claim 12 and further teaches the step of dividing the Web page into discrete content modules that are selectively displayable (Col. 11 lines 14-24).

22. With respect to Claim 14, Kanevsky teaches all the limitations of Claim 12 and further teaches wherein the step of determining the portion of the content that can be fully displayed in the available display area without requiring scrolling in more than one direction comprises the step of prioritizing different portions of the content based on an order of importance, said different portions of the content corresponding to specific areas of the Web page that are selectively displayed as a function of the available display area (Col. 11 lines 14-24).

23. With respect to Claim 15, Kanevsky teaches all the limitations of Claim 14 and further teaches wherein the step of prioritizing comprises the step of ranking the different portions of the content according to their importance in conveying information on the Web page (Col. 11 lines 14-24 and 42-63).

24. With respect to Claim 16, Kanevsky teaches all the limitations of Claim 12 and further teaches wherein the step of automatically determining the portion of the content that can be fully displayed in the available display area without requiring scrolling in

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more than one direction, comprises the steps of: (a) detecting a respective share of the available display area required by each portion of the content (Col. 8 lines 49-53); and (b) automatically determining a combination of different portions of the content that are displayable in the display area, based upon the respective share of the display area required by each different portion of the content (Col. 8 lines 44-53 and Col. 9 lines 35-41).

25. With respect to Claim 17, Kanevsky teaches all the limitations of Claim 16 and further teaches wherein the step of automatically determining a combination of different portions of the content comprises at least one of the steps of: (a) automatically changing a dimension of a portion of the content to fit the dimensions of the available display area; (b) automatically scaling a portion of the content to fit the available display area; (c) automatically changing an orientation of a portion of the content to fit the available display area; (d) automatically converting a portion of the content into a moving image within the available display area; and (e) automatically subdividing a portion of the content into subportions that are displayed sequentially within the available display area (Col. 9 lines 35-41 and Col. 15 line 12 - Col. 16 line 10).

26. With respect to Claim 18, Kanevsky teaches a method for providing content to a browser program for display in a browser window without requiring scrolling in more than one direction to fully display the additional content, comprising the steps of: (a) automatically detecting properties that identify the browser program (Col. 2 lines 12-19 and Col. 5 lines 5-19); (b) automatically determining instructions that are compatible with the browser program (Col. 5 lines 23-29) , to display at least a portion of the

additional content without scrolling in more than one direction, based on an available display area in the browser window (Col. 9 lines 39-41); and (c) communicating the instructions to the browser program, said instructions causing the additional content to be fully displayed only if possible to do so without requiring scrolling in more than one direction (Col. 5 lines 23-29).

27. With respect to Claim 19, Kanevsky teaches all the limitations of Claim 18 and further teaches wherein the step of automatically detecting comprises the step of parsing a request from the browser program for content to be displayed by the browser program, to determine information that identifies the browser program (Col. 6 lines 20-29 and lines 45-51).

28. With respect to Claim 20, Kanevsky teaches all the limitations of Claim 18 and further teaches wherein the step of automatically determining comprises the steps of: (a) determining a type of the browser program being used from the set of properties; and (Col. 5 lines 5-19) (b) selecting specific instructions written to be implemented by the type of the browser program being used (Col. 2 lines 12-19).

29. With respect to Claim 21, Kanevsky teaches all the limitations of Claim 18, wherein the step of communicating comprises the steps of: (a) obtaining the instructions that are compatible with the browser program (Col. 2 lines 12-19); (b) upon receiving a request for a content from the browser program, providing a response that includes at least a portion of the content requested (Col. 8 line 35-44) and the instructions (Col. 2 lines 12-19); and (c) conveying the response to the browser program (Col. 2 lines 12-19 and Col. 8 lines 35-44).

30. With respect to Claim 22, Kanevsky teaches a system for displaying a Web page and selectively displaying an additional content, based on an available display area (Col. 9 lines 39-41), comprising: (a) a memory adapted to store data and machine instructions (Col. 5 lines 23-29); (b) a processor coupled to the memory, said processor controlling storage of data in the memory and executing the machine instructions to implement a plurality of functions (Col. 5 lines 23-29); (c) a persistent storage device., coupled to the processor and the memory, on which are stored machine instructions (Col. 5 lines 23-29), which when executed by the processor, cause it to selectively fully display a primary content of a Web page and the additional content without requiring scrolling in more than one direction (Col. 9 lines 39-41); and (d) a display on which said primary content and said additional content are rendered in accord with the machine instructions, said display being controlled by the processor, said plurality of functions implemented by the processor executing the machine instructions (Col. 5 lines 5-19 and line 63 to Col. 6 line 3) including: (i) detecting dimensions of the available display area (Col. 6 lines 4-6 and 20-27); (ii) selectively displaying both the primary content and the additional content, if the primary content and the additional content are fully displayable without scrolling in more than one direction (Col. 9 lines 39-41 and Col. 10 lines 49-51); and if not, (iii) displaying only the primary content (Col. 8 lines 26-44).

31. With respect to Claim 23, Kanevsky teaches all the limitations of Claim 22 and further teaches wherein the machine instructions that cause the processor to selectively display the additional content are downloaded to the memory over a computer network (Col. 2 lines 12-19).

32. With respect to Claim 24, Kanevsky teaches a system for displaying a Web page and selectively displaying an additional content, based on an available display area (Col. 9 lines 39-41), comprising: (a) a remote computer operatively connected to a communication network, said remote computer including a processor, and a memory in which machine instructions are stored that when executed by the processor while the remote computer is coupled in communication with a client device, carry out a plurality of functions (Col. 5 lines 20-56), including: (i) identifying a client browser program running on the client device (Col. 2 lines 12-19 and Col. 5 lines 5-19); (ii) determining machine instructions that are compatible with the client browser program (Col. 5 lines 23-29), for causing the client browser program to fully display at least a selected portion of the additional content without scrolling in more than one direction, based on the available display area on the client device (Col. 9 lines 39-41 and Col. 10 lines 49-51) ; and (iii) communicating the machine instructions to the client browser program (Col. 2 lines 12-19); and (b) a client device operatively connected in communication with the remote computer over said communication network, the client device including a display, a processor, and a memory in which instructions are stored, said instructions, when executed by the processor in the client device, carrying out a plurality of functions, including (Col. 5 line 5 to Col. 6 line 3): (i) communicating said client browser properties to said remote computer when requesting a primary, content of a Web page from said remote computer (Col. 6 lines 20-28); (ii) receiving said primary content and said machine instructions from said remote computer (Col. 2 lines 12-19); (iii) detecting dimensions of an available display area on the client device (Col. 6 lines 20-28); (iv)

determining whether the additional content and the primary content can both be fully displayed in the available display area without requiring scrolling in more than one direction (Col. 8 lines 26-44, Col. 9 lines 39-41 and Col. 11 lines 14-24); and if so (v) displaying the additional content and the primary content on the display of the client device (Col. 9 lines 39-41, Col. 10 lines 49-51 and Col. 11 lines 14-24); else (vi) displaying only the primary content on the display of the client device (Col. 8 lines 26-44).

Claim Rejections - 35 USC § 103

33. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

34. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky in view of U.S. Patent 6,098,096 by Tsirigotis et al. (Tsirigotis). Kanevsky teaches all the limitations of Claim 1 further teaches display of additional content (Col. 9 lines 39-41 and Col. 10 lines 49-51). Kanevsky does not explicitly disclose determining if the additional content to be displayed was previously downloaded and retrieving the content if needed. However, it is well known in the art that it can be determined if content has been previously downloaded and retrieving the content if it was not as shown by Tsirigotis (Col. 5 line 58 – Col. 6 line 8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed

by Kanevsky and modify it as indicated by Tsirigotis such that wherein the step of displaying the additional content and the primary content comprises the steps of: (a) determining whether the additional content was previously downloaded from a remote storage; and if not, (b) retrieving the additional content from the remote storage and displaying both the primary content and the additional content; else (c) displaying both the primary content and the additional content that was previously downloaded from the remote storage. One would be motivated to have this as it saves time that would have otherwise been used to retrieve the content (Col. 2 lines 24-36).

Conclusion

35. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

36. U.S. Patent 6,593,943 by MacPhail "Information Grouping Configuration for use with Diverse Display Devices" July 15, 2003

37. U.S. Patent 6,556,217 by Mäkipää et al. "System and Method for Content Adaptation and Pagination based on Terminal Capabilities" April 29, 2003.

38. U.S. Patent 6,539,406 by Ibarra et al. "Method and apparatus to create virtual back space on an electronic document page, or an electronic document element contained therein, and to access, manipulate and transfer information thereon" March 25, 2003

39. U.S. Patent 6,456,305 by Qureshi et al. "Method and System for Automatically Fitting a Graphical Display of Objects to the Dimensions of a Display Window" September 24, 2002
40. U.S. Patent 6,389,437 by Stoub "System for Converting Scrolling Display to Non-Scrolling Columnar Display" May 14, 2002
41. U.S. Patent 6,281,986 by Form "Method for Browsing Electronically Stored Information" August 28, 2001
42. U.S. Patent 6,237,030 by Adams et al. "Method for Extracting Hyperlinks from a Display Document and Automatically Retrieving and Displaying Multiple Subordinate Documents of the Display Document" May 22, 2001
43. U.S. Patent 6,023,714 by Hill et al. "Method and System for Dynamically Adapting the Layout of a Document to an Output Device" February 8, 2000

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lazaro whose telephone number is 703-305-4868. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 703-308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



David Lazaro
November 25, 2003



HOSAIN ALAM
SUPERVISORY PATENT EXAMINER